

UNION'S DEMAND PUT UP TO THIRD AVE. R. R.

Two Suburban Lines Seek to Force Entering Wedge Into Manhattan.

TALK OF STRIKE SUNDAY

Westchester Men Satisfied With Wages, but Want Unionism Recognized.

Conductors, motormen and other employees of the Westchester Electric Railroad Company and the Yonkers Railroad Company, two subsidiary roads of the Third Avenue Railroad Company, which together own a good part of the transit lines of Westchester county, have demanded from the officials of the two companies recognition of their union and the adoption of the union schedule. The demands have been referred to Frederick W. Whitridge, president of the Third Avenue and the two subsidiary lines.

In the opinion of the street railway men and those connected with labor unions this demand means that the Amalgamated Association of Street and Railway Employees is making another attempt to force unionism into Manhattan through the wedge of the Third Avenue company.

The employees of both the subsidiary lines have been in the union for years, although the union has never been officially recognized. Several times organizers have attempted to obtain recognition of the union on these Westchester lines in the hope that if they could do so the parent company, the Third Avenue line, could be persuaded to obtain recognition of the union, and in this way a hold be obtained in Manhattan from which it would be difficult to prevent the spread of unionism to the lines of the New York City Railways Company, formerly the Metropolitan.

The employees of the Westchester and Yonkers lines are not dissatisfied with their wages, but with the management of the company, on the contrary they are quite satisfied with their employers, but they say that they are making this fight for a principle, and intend that if their plans are not complied with by Sunday a strike is likely to ensue.

None of the union officials would speak on the subject, all saying that they had submitted their demands in the form of a proposed agreement to the companies and would wait to see what attitude the companies will take. It is known that the president, Mr. Whitridge, is opposed to unionism.

The employees of the Westchester roads were irritated on their last pay day to find in their envelopes a long letter from Mr. Whitridge inviting them to join an association run by the railroad for the benefit of the employees, an association which has been a part of the Third Avenue line for some time. Each man gives 50 cents a month to the association and the company also contributes 50 per cent. of what the men turn in the money to be used for sick and death benefits. The plan has worked well on the Third Avenue road, where the men have a clubhouse, but the employees of the two Westchester subsidiaries say it is an attempt on the part of Mr. Whitridge to draw them away from and weaken the union to which they belong.

Leslie Sutherland, vice-president and general manager of the Yonkers Railroad Company, admitted yesterday that demands had been made upon the road for the recognition of the union. He said:

"I must refuse to discuss the subject at the present time, except to say that demands have been made upon the company for the signing of a proposed agreement guaranteeing to the men for a stated period, certain terms and conditions relating to their employment, and that the union recognized and the regular union schedule adopted. The demands will be referred to Mr. Whitridge for his consideration."

DENIES CARNEGIE GIFTS.

Mine Workers' Organization Threatens Suit Against Candidate.

POTTSVILLE, Pa., Oct. 22.—Charges that Andrew Carnegie has for years been sending their organizer, Miles Dougherty \$1,000 as a Christmas present will be investigated by the United Mine Workers. The charge has been made by Representative James A. Maurer, the only Socialist member of the Pennsylvania Legislature.

The Ninth district convention of the United Mine Workers session here today instructed its secretary to notify Maurer to appear and substantiate the charge. Delegate Thomas Butler of Girardville also read charges made by Maurer that Dougherty made a speech at the last session of the Legislature in favor of "The Cossacks," meaning the State police, when a law to abolish the police was under consideration.

Dougherty, in a speech which brought forth prolonged applause, said he had under consideration the prosecution of Maurer for libel. The convention decided to summon "Mother Jones," the female orator of the miners, who is now in West Virginia, as a witness for Dougherty, at the hearing of the case next month.

BRIBE OFFER FOR SCHOOL SITE.

City Expert Says Melville Man Promised to "Fix It Up."

The story of the bribe that was refused was told yesterday to the finance committee of the Board of Aldermen, who were holding a hearing on the purchase of land for the Brooklyn Disciplinary Training School.

Commissioner of Accounts Harry M. Rice remarked that his examination had reported to him that land at Melville, where the school site had been picked, could be bought more cheaply than that which had been selected.

Who were the men who told your examination, asked Charles H. Miller, a real estate expert in the controller's office.

Mr. Rice mentioned the names of two men, one living in West Park and the other in Astoria.

"O'Malley," the first named, is an old man, said Rice, "and I wanted to treat him with consideration. He came to me and said that if I would fix it so that all sites except his in West Park were eliminated, I would be taken care of. He would go to his friend in West Park and talk about it, and when I got the money I wouldn't question where it came from. It would be all right. He wanted the same thing done about the site for the disciplinary school at Greenport, Orange county."

Chairman Henry M. Curran said the Aldermen would decide later about the purchase of the land.

Gives \$5,000 to Improve Athletic Field.

ANNAPOLIS, Oct. 22.—St. John's College of this city has received \$5,000 from William Westcott of New York city to be used on the improvement of the athletic field. It is believed that the improved grounds will be one of the best athletic fields connected with any college in the country.

NURSE JUST MUST STEAL.

Kleptomaniac, Says Miss Watson's Friends. Examination Ordered.

At the instance of the Rev. Mr. Watkins, chaplain of the penitentiary, and Mrs. Miles Standish, a missionary, Assistant District Attorney Frederick E. West, consented yesterday to let Miss Watson have Miss Helen Louise Watson, a nurse held for the theft of \$1,500 worth of valuables, examined for signs of kleptomania.

The Rev. Mr. Watkins and Mrs. Standish were in White Plains in consultation with Maurice Zucker, counsel for Miss Watson and Mr. Weeks. Those interested say that the girl has a mania for stealing and that she does it not because she has any desire for gain but because she cannot resist. They also say she steals only when she is nervous after long periods of hard work. The State will call physicians to make tests.

Miss Watson has confessed to stealing \$1,500 worth of jewels and clothing from the late Mrs. Mary Porter Gregory Devereaux, who died at the home of her son, Walter Devereaux, Jr., in Eddies Point, Mamaroneck, two days before Miss Watson was arrested in Brooklyn for shoplifting. Miss Watson had been Mrs. Devereaux's night nurse for five days before her death and she first said that the valuables were given to her by the dead woman. Mrs. Devereaux's family declared this was impossible, for she was unconscious for the greater part of the time Miss Watson was in the house, and the girl finally admitted her guilt.

TRIES TO CHOKO NEGRO AFTER SHOTS OVER WIFE

Chauffeur Charges Stuart Got Bullet Trying to Kill His Wife.

PHILADELPHIA, Oct. 22.—Samuel B. Stuart, the husband of the wealthy Mrs. Stuart of Melrose Park, last night and today made three more attempts to kill Thomas T. Posey, the negro chauffeur of the family, who was shot last evening by Stuart and who in turn shot Stuart.

After the shooting in the Stuart house both men were taken to the Jewish Hospital, where they were placed on beds side by side. Shortly after midnight the guard heard a rustling and turned in time to see Stuart grasp Posey by the throat. The policeman broke Stuart's grip.

Twice after that Stuart attempted to choke the negro.

Mrs. Stuart called at the hospital this morning and asked to have Posey removed to her home. When this was refused she asked to speak alone with him. This also was refused.

"I want to take Posey home," she said. "He is an old and valued servant and he has been wronged by Stuart."

"No, I don't care to see Stuart," she continued when asked if she was anxious about the wound of her husband. "He hasn't any regard for my feelings. He will get better without seeing me."

The row which ended last night in the shooting of Stuart and Posey had its inception soon after the Stuarts were married in Camden eighteen years ago. Posey has been the personal attendant of Mrs. Stuart for many years.

According to the statements of both Stuart and Posey the husband of Mrs. Stuart always has been jealous of the negro.

"My wife paid more attention to him than she did to me," said Stuart in the hospital today. "I thought it was about time to get rid of him."

According to Stuart he told the chauffeur that he was discharged.

With that, continued Stuart, "Posey pulled out a revolver and started shooting at me. I grappled with him and we both were shot."

Posey declares he was shot in attempting to save the life of Mrs. Stuart. The negro says Stuart attempted to kill his wife.

"He shot at her once," said Posey, "and the bullet went through her hat. I grappled with him and he shot me in the leg. While we were fighting for the gun it went off the third time and Mr. Stuart was shot through the leg."

"Mrs. Stuart and her maid are under bail."

About three years ago an aunt of Mrs. Stuart died leaving her a fortune estimated at from \$250,000 to \$500,000, but the aunt stipulated that Stuart should have no share of the money.

In 1911 Stuart caused the arrest of his wife, charging her with bigamy. It developed that Mrs. Stuart had instituted divorce proceedings against her husband in December, 1910. The charges and countercharges are still pending.

CHILDREN IN MURDER TRIAL.

Boy of Eight Is Principal Witness Against McKenna.

Playmates of Sigrid Eckstrom, the child found murdered on June 6 in the basement of 1075 Ogden avenue, The Bronx, were the principal witnesses yesterday in the trial of Joseph J. McKenna before Judge Rosalek in General Sessions for first degree murder. The children testified they had seen McKenna near the little girl on the evening she was found dead and that they had heard her ask McKenna for a penny.

The identification of articles of the murdered girl's clothing formed a part of yesterday's proceedings. Mrs. Elsa Eckstrom, the child's mother, was overcome when she saw the clothing and had to be assisted from the witness stand. McKenna nervously pulled at his handkerchief and twisted about in his chair.

Arthur Wolf, a boy of 8 years, was unshaken in his testimony that he had seen McKenna and the Eckstrom girl on the steps to the apartment house about 6 o'clock the night the child was killed. The little boy, whose head hardly came to the top of the witness chair, was not confused by cross-examination.

LIEUT. BURNS MADE CAPTAIN.

Fills Vacancy by Promotion of Faurot—Shift at Three Stations.

Lieut. Edward J. Burns of the Glendale avenue station, Brooklyn, was appointed to fill the vacancy in the promotion of Acting Inspector Joseph A. Faurot last Monday.

The following captains were also transferred: William F. Day from the Union Market station to the Lee avenue station, Brooklyn; Capt. William E. Boettler from the Union Market station to the Butler street station, Brooklyn; Capt. John J. Landry from the Butler street station to Traffic B. Manhattan.

Woman Who Shot Fack Indicted.

Mrs. Elizabeth Edmunds, wife of Dr. Dr. Edmunds, a dentist of Sixth avenue, Manhattan, who shot and seriously wounded District Attorney Albert Fack of Richmond on August 12, was indicted last night by the Richmond county Grand Jury for assault in the first degree and for carrying concealed weapons.

FRITZI SCHEFF TO FILE DIVORCE PAPERS SOON

Friends of Actress and Husband, John Fox, Jr., Insist Report Is True.

RELATIVES ARE SILENT

Nature of Marital Differences of Couple Is Not Disclosed.

It was learned from an authoritative source yesterday that the report of divorce proceedings between Fritzi Scheff, the comic opera singer, and her husband, John Fox, Jr., the author, which was printed in THE SUN several weeks ago, was founded in fact, notwithstanding the refusal of Miss Scheff to discuss the matter at that time.

Friends of the couple insisted yesterday that the proceedings have reached the stage where a filing of official papers is only a matter of a short time.

Rector K. Fox, a broker at 25 Broad street, at whose home in Mt. Kisco his brother and Miss Scheff were married on December 13, 1908, declined to discuss the report yesterday, taking the position that any information on the subject should come from the parties directly interested.

Samuel H. Evans, who has had charge of legal matters in the past both for Mr. Fox and Miss Scheff, also declined to talk about the report.

Miss Scheff, whose father was a physician and whose mother was a prima donna at the Imperial Opera House in Vienna, was born in that city on August 30, 1879, and when 15 years old made her first appearance in grand opera at Frankfurt, Germany. Later she sang in Munich, and on November 9, 1900, made her debut in America, singing "Musetta" in "La Bohème" in Los Angeles in a cast that included Melba, Cremonesi, Gilbert and Campanari.

Maurice Grau recognized her talent and she appeared the following month at the Metropolitan Opera House as Marcelina in "Fidelio." She sang there for three years, appearing in a variety of roles.

In 1903 she entered the comic opera field and there attained her greatest success. She sang in "Fatinella," "Girofondo" and "Boccaccio," but with her assumption of the leading role in "Mile Modiste" she reached the highest point in public regard. The "Prima Donna" and "The Duchess" followed. Both of these productions she left suddenly, declaring on each occasion that she was through with the stage. Announcement has been made that she is to appear in a new comic opera season.

The singer was formerly the wife of Friedrich Wilhelm Gustav Carl von Bardeleben, who resigned a lieutenantcy in the German army to marry her. She obtained a final decree of divorce from him on August 22, 1908, and three days later a report was printed that she was engaged to John Fox, Jr.

Mr. Fox then was much in the public eye, having been a war correspondent in Cuba and in the Japanese-Russian War and having printed numerous short stories. His novels, particularly "The Little Shepherd of Kingdom Come," had placed him in the rank of successful authors.

There was no sign of marital differences until recently, when friends began to talk of possible divorce proceedings. What the nature of their differences is has not been disclosed.

FRITZI SCHEFF NOT WORRIED.

Nobody's Business If She Wants to Marry Again, She Says.

St. Louis, Oct. 22.—A disinclination to be bothered about the little things of life, such as marital rifts, manifested itself in the voice of Fritzi Scheff in talking to a reporter at the Hotel Jefferson this afternoon when asked about the proposed divorce.

"Is it true that your husband has brought suit against you for divorce, Mrs. Scheff?" persisted the reporter.

"I can't talk about anything I know nothing about," the prima donna replied.

"Are you going to contest such suit for divorce on your husband's part?"

"I know nothing to contest. If he wants to get a divorce that is his business. If he wants to marry again that is his business, too. If I want to marry again that is my affair."

"Are you thinking of marrying, Mrs. Scheff?"

"Good-by," was the hasty answer.

To Discuss Workmen's Accidents

The Workmen's Compensation Department of the National Civic Federation is to hold a national conference on workmen's compensation and accident prevention in the rooms of the New York Board of Trade and Transportation, 203 Broadway, on November 25. The following day there will be a New York State conference for the discussion of specific legislation for this State.

CITY JOTTINGS.

After nine days of ineffectual search by the police, Robert Volatile, 16 years old, of 142 East 107th street, wanted for the death of Joseph Rocco, also 16, in front of his home at 147 East 104th street, on October 12, gave himself up yesterday. He said the shooting was an accident.

A hearing on the application of the New York Railways Company involving the issuance of transfers across Fifty-ninth street has been set by the Public Service Commission for Friday morning at 11 o'clock.

Giuseppe Rosello of Cornwall and Hudson streets was arrested after a pistol shot near Fifteenth street and First avenue yesterday. A revolver was found in his pocket. Rosello said he fired the revolver to frighten children who were annoying him. He was held in \$2,000 bail.

Bessie Shapiro, who said she had been doing picket duty for girls who struck at a Clinton street shirt waist factory, was arraigned yesterday on a charge of disorderly conduct. District Attorney Minion testified that on her way to the factory she had been assaulted by the prisoner and another woman, Bessie Shapiro was fined \$10.

There will be a hearing today in Brooklyn on the application of Ralph C. Runyon for the removal of George W. Titcomb, a lawyer, as trustee of the estate of his father, Andrew J. Runyon, who died in 1906.

District Attorney Whitman will ask for a special panel of jurors for the trial of "Red Phil" Davidson for killing Big Jack Zelig. Davidson's trial will be heard by Justice Goff as soon as the Becker trial is over. Assistant District Attorney Minion is preparing the case.

Pure Food Exposition of the Associated Clubs of Domestic Science will be opened tonight at the Seventy-first Regiment Armory. Beginning on Thursday morning, daily lectures on cooking will be given at the Armory Theatre by Miss Haxworth.

The Irish Country Associations of New York are making preparations for their annual Irish ball, which will be held this year in the Harlem River Park and Casino, 125th street and Lexington avenue. The ball will take place on Halloween, Thursday, October 24.

B. Altman & Co.

WILL PLACE ON SALE THIS DAY (WEDNESDAY),

IMPORTED CELLULOID ARTICLES

AT ONE-THIRD TO ONE-HALF LESS THAN THE REGULAR PRICES

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CLOTHES BRUSHES	1.65	COMBS	35c.
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PROPORTIONATE REDUCTIONS HAVE ALSO BEEN MADE IN THE PRICES OF CELLULOID SEWING CASES, VANITY BOXES, NAIL FILES, CUTICLE KNIVES, TALCUM SHAKERS, TOOTH POWDER BOXES, BUTTON HOOKS, GLOVE AND HANDKERCHIEF BOXES AND READING GLASSES.

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HIGH SCHOOL FOOTBALL DOWNED BY ERUDITION

Westfield's Crack Eleven Disbands After Board's Action.

AUTHORITIES WON'T YIELD

Boys Make Protest and Call on the Public to Speak Out for Sport.

The village of Westfield over in New Jersey has, or rather had until a few days ago, a high school football team that almost anybody along Main street was willing to offer attractive odds on to win the county championship. Then the team went against the Board of Education's crack passing mark eleven and was so badly defeated that it has disbanded temporarily. Now the students are demanding a revision of the rules preparatory to a return battle.

English language played the strongest game for the passing mark team. Four of the Westfield High regulars were put out of the game by this active player. A fifth was crippled after a fierce tackle of history and a sixth was bowled over by English assisted by splendid interference from Latin.

With half the team on the scholarship hospital list Westfield High was discouraged. But the royal rosters association held a meeting, consulted with "a certain person" who is warned that he is known to the Board of Education, and then sent out this:

"GUILTY OR NOT GUILTY."

The fathers and mothers of every Westfield boy or girl is the jury. Here is the evidence. What is your verdict?

The Westfield Board of Education has practically barred athletics in the Westfield High School. Basketball will not be allowed because the contestants or spectators might mar the building. The football team—the best the high school could boast of in years—has just been disbanded by this same board because seven of the ten members failed to pass a mark of 80 per cent in one subject. Eighty per cent! The usual passing mark in high schools and colleges is either 60 per cent, or 65 per cent. Nevertheless this same aforementioned board has raised the passing mark in Westfield High School, which has heretofore been 75 per cent, to 80 per cent, in only one study, and in a study that the majority failed to pass at 75 per cent. The average percentage of every member of the football team is 75 per cent, or over.

Probably this noble board believes this to be a boost to Westfield—a boost to our homes, health, happiness. Probably they think our high school boys show off to better advantage in loafing on the street corners, playing the dangerous and disgusting sport called pool than they do in football, base, baseball, or any other athletic sports. Do you? Express your opinion. Consider this matter. You should. These are facts and we earnestly request that you express your opinion, whatever it might be.

That was what Dr. Chauncey M. F. Egge, president of the Board of Education, found tucked under his door when he got home on Monday night. He followed the suggestion of the handbill and expressed his opinion. Then he went to see Dr. J. J. Savitz, principal of the school, and last night there was a full meeting of the Board of Education at which it was decided that the high school team had been "disfranchised" and that there will be no revision of the rules. The board also approved a statement to be sent out explaining the contest between scholarship and athletics. It says among other things:

"The standard has been 75 per cent. in all subjects for at least ten years. The average required in English is 80 per cent. for the following reasons: Business men of wide experience have complained of the spelling, writing and English of high school graduates generally. This complaint is countrywide. To improve the English in our schools a system of English teaching was inaugurated in the lower grades seven years ago which has produced good results. Pupils who entered our schools from other schools this fall are invariably behind pupils of corresponding grades in this subject."

The statement goes on to say that if students were allowed to represent the school in the athletic teams although failing to maintain the school average, enthusiasm

for the game would cause them "to devote the greater part of their time to athletics to the exclusion of their regular school work." The board also gives a table showing the scores of the six members of the football team. The score for each of the six stands as follows:

One—Algebra, 83; English, 70; physics, 75
Two—English, 78; history, 90; commercial law, 80
Three—English, 75; Latin, 74; algebra, 75; history, 80
Four—English, 85; bookkeeping, 92; history, 40; science, 65
Five—English, 70; science, 75; arithmetic, 88; bookkeeping, 85
Six—Mathematics, 80; English, 75; French, 92; Latin, 75

Having shown how all it happened the Board of Education announced that it had asked the football captain if the team did not want to go into special training for the month and examinations and so be prepared to carry out its November schedule. The board was told sorrowfully that the odds were too great and that the team had disbanded for the season.

As to the charge made in the circular distributed by the students that basketball is not allowed because the building might be injured, the board replies that on the contrary a metal ceiling was put in the auditorium for the very purpose of making it suitable for basketball games. The only reason why none may be played, says the board, is that no schedule of games has been submitted for the approval of the athletic committee chairman, as the rules require.

Discussion of the battle among the football team, its followers and the Board of Education rules has pushed politics to one side in Westfield and the corner debates got a new start last night when the decision of the board was announced. Some of the team's partisans are very bitter in their denunciations of the action of the board and the school faculty. In reply to an article printed in one of the Westfield papers the board last night made the following statement:

"The charge in the newspaper that these requirements were made because the school had a chance of winning the county championship, which would hurt the feelings of a former coach, is untrue. The only teacher who has ever coached the team heretofore has not marked any one on the football team below passing mark in his subjects."

MAY ANNUL JERSEY MARRIAGE.

Court of Appeals Holds Ceremony Not Binding if Void Here.

ALBANY, Oct. 22.—The Court of Appeals decided today that where a young girl is taken out of the State to be married the courts of New York may annul the marriage even though it is legal in the other State provided the girl is under the age of consent and both parties are residents of New York when the action is commenced.

William Cummings boarded at the home of Anna Pratt in New York city and the girl went with him to Westwood, N. J., on January 30, 1910, where they were married. The girl was only 17 years old. They returned immediately to the mother's home and the marriage was kept secret until three months later, when Cunningham became intoxicated, it is alleged, and made it known.

The mother put Cunningham out. He had her arrested. In the mother's action to annul the marriage Justice Greenbaum dismissed the complaint and the Supreme Division agreed with him. Now the Court of Appeals reverses the lower courts and orders a new trial. Judge Haight, writing the opinion of the Court of Appeals, says: "My conclusions are that the marriage of the plaintiff to the defendant in the State of New Jersey while she was under the age of legal consent, without the knowledge or consent of her parents, was repugnant to our public policy and legislation, and in view of the fact that the parties were and ever since have been residents of this State our courts have the power to relieve the plaintiff by annulling the marriage."

Judge Werner in a dissenting opinion took the ground that the marriage, being valid in New Jersey, the courts in this State had no power to dissolve it.

LOSES PROPELLER OFF THE HOOK

Steamer Advance, Disabled, Towed to Dock by Tugs.

The Panama Railroad and Steamship Company's liner, Advance, which arrived yesterday from Cristobal, shook off her propeller somewhere off Sandy Hook yesterday morning. She dropped her mudhook off the lights and sent wireless calls for help.

The agents of the line sent the tugs Robert A. Palmer and John A. Booker to her. They passed out past Sandy Hook at 10 o'clock, and an hour later passed in, snaking the Advance in their wake, and towing her to her dock.

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